

cutigns under this Act upon the uncorroborated testimony of an accomplice.

Sec. 41. That all suits or actions, civil or criminal, pending under the law in force the day this Act takes effect, may be prosecuted to final judgment and such judgment entered in like manner with the same effect as though this Act was not passed and all rights and actions, civil or criminal, accrued under any existing law or hereby preserved and saved and excepted from the operation and effect of this Act, and the same may be prosecuted by suit for recovery or conviction in like manner and to the same extent as might be done if this Act was not passed.

Sec. 42. That if any provisions of this Act shall be held to be invalid, it is hereby provided that all other provisions of this Act, which are not held to be invalid, shall continue in full force and effect.

Sec. 43. The importance of this measure and the fact that the session of the Legislature must soon end, create an emergency and an imperative public necessity which require that the constitutional rule providing that bills shall be read on three several days be suspended and said rule is hereby suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

SEVENTEENTH DAY.

Austin, Texas, July 14, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Prayer by Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

Excused.

Senator Buchanan of Bell for today on account of important business on motion of Senator Smith.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Smith:

S. B. No. 151, A bill to be entitled "An Act to amend Section 1, 2, 3, 4, 20 and 23 of Chapter 76 of the Regular and Special Laws of Texas enacted at the Regular, First and Second Called Sessions of the Thirty-first Legislature and known as an Act to create a more efficient Road System for Rusk County, Texas, etc.; providing for the appointment of Special Road Commissioners for Rusk County; providing for their qualifications; prescribing their powers and duties, authorizing the right of eminent domain for road purposes; providing a method for paying accounts out of and handling the moneys received from bonds heretofore issued; automobile taxes, State and Federal aid; validating bonds heretofore issued or that may hereafter be issued; providing that this Act be cumulative, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators McNealus and Caldwell:

S. B. No. 152, A bill to be entitled "An Act to punish the making or use

of materially false statements in writing respecting financial condition, for the purpose of obtaining money, property or credit, when such money, property or credit amount to more than Fifty Dollars; whether such statements are made directly or indirectly; making such an offense a felony, and prescribing the punishment therefor."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Witt:

S. B. No. 153, A bill to be entitled "An Act creating the Moody Independent School District in McLennan County, Texas; defining its boundaries, including the present Moody Independent School District, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hertzberg:

S. B. No. 154 A bill to be entitled "An Act authorizing the County Treasurer of counties having a population in excess of one hundred thousand inhabitants to appoint an assistant where an assistant is necessary for the efficiency of the public service etc.; providing for and application to be made by such county treasurer to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such assistant; providing that the Treasurer desiring such assistant shall make affidavit that such assistant is necessary for the efficiency of the public service, and providing for the salary of such assistant, and providing that the officer requesting said assistant shall fix his compensation and providing the minimum amount allowed such assistant, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hertzberg:

S. B. No. 155, A bill to be entitled "An Act to authorize and empower Kerr County or any political subdivision or any defined district now or hereafter to be described and defined of said county, etc., by a vote of a two-thirds majority of the resident property tax payers, qualified

voters of such county or political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and defined and to levy, and to collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof, and providing ways and means of conducting and supervising said work; providing for appointment of a board of road commissioners and their duties; and repealing the Kerr County Road Law passed by the Regular Session of the Thirty-sixth Legislature of the State of Texas, known as S. B. No. 22, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

Senate Concurrent Resolution No. 21.

Postponing Interest Payments on School Lands in West Texas on Account of Drouth.

Whereas, in the Northwestern and Western part of Texas there has been a fearful drouth extending back for several years, and so severe was that drouth that many people were compelled to leave their homes and find subsistence as daily laborers in other parts of the country, and thus had to temporarily abandon their homes, and even to this date have not been able to have even the necessities of life although this year has brought an abundance of crops to those who have been able to plant; and

Whereas, even with the abundant crops of this year, they are still under obligations locally and to the State; and

Whereas, the payment of interest past due and now due to the school fund of Texas may be postponed to the advantage of these same people, and to no detriment to the school fund or owners, and

Whereas, the Commissioner of the

General Land Office has on other occasions exercised a discretion in postponement of the payment of interest until conditions improved; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring:

First. The Commissioner of the General Land Office is authorized to use his discretion in the postponement of the forfeitures of the sales of school land for non-payment of interest as his judgment dictates, and especially is he authorized to defer forfeiting sales on which interest is due November first, 1920.

Second. It is the sense of the Senate, and the House of Representatives that the discretion heretofore exercised by the Commissioner of the General Land Office in the matter of deferring forfeitures of the sales of school lands for the non-payment of interest on account of the severe drouth in the school land territory was wise and to the interests of this State, the school fund and the owners of the land, and we commend him for said acts.

DUDLEY.

The resolution was read and adopted.

Senate Concurrent Resolution No. 22.

Whereas, it is necessary that Hon. P. O. Beard, Judge of the Seventy-first Judicial District of the State of Texas, be absent from the State during the month of August this year, and the month of July and August 1920; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That leave of absence be granted the said Judge P. O. Beard, Judge of the Seventy-first Judicial District, for the month of August 1919, and also the months of July and August 1920.

SMITH.

The resolution was read and adopted.

Bell Memorial Service.

Senator Dayton moved that the hour heretofore set for holding the Bell Memorial Service be postponed

and re-set for four o'clock p. m. today.

The motion prevailed.

Senate Bill No. 83.

The chair laid before the Senate on second reading and as a special order:

S. B. No. 83, A bill to be entitled "An Act to define and regulate the practice of veterinary medicine, surgery and dentistry; creating a Board of Veterinary Medical Examiners for the examining and licensing of veterinary physicians and surgeons, dentists, and prescribing their powers, duties, and qualifications; providing for the proper registration of veterinary physicians, surgeons and dentists, and providing for the revocation of their licenses and fixing suitable penalties for the violation of this Act, repealing Chapter 76 of the Acts of the Regular Session of the Thirty-second Legislature and all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Clark offered the following amendments which were read and adopted, severally:

Amend Senate Bill No. 83:

Page 3, Section 5, line 17, the word immediately following "1911" should be "from" instead of "for."

Page 4, Section 6, line 10, the word immediately following "the" should be "name" instead of "same."

Page 4, Section 7, line 32, the word immediately following "reciprocity" should be "upon" instead of "or."

Page 6, Section 12, line 25, the word immediately following "jurisdiction" should be "upon" instead of "under."

Page 7, Section 14, line 29, the first word should be "staying" instead of "spraying."

Page 8, Section 15, line 3, the third word should be "examiners."

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 83 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Willford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent.

Bailey.	Strickland.
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Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Clark, was passed by the following vote:

Yeas—21.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Dayton.	Rector.
Dean.	Smith.
Dudley.	Westbrook.
Faust.	Willford.
Floyd.	Witt.
Hall.	

Nays—1.

Suiter.	
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Present—Not Voting.

Woods.	
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Absent.

Bailey.	Dorough.
Cousins.	Strickland.

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following:

H. B. No. 48, A bill to be entitled "An Act to amend Section 11 of

House Bill No. 175, enacted at the Fourth Called Session of the Legislature, defining the boundaries of the Woodrow Common School District No. 21, in Lubbock County, Texas; revising the metes and bounds of, etc."

H. B. No. 49, A bill to be entitled "An Act to create and establish the Phoenix Independent School District in Kaufman County, Texas; defining its boundaries, etc., and declaring an emergency."

H. B. No. 32, A bill to be entitled "An Act to amend Section 1 of a special act, entitled 'An Act enlarging and giving boundaries of Independent School District No. 1, Sterling County, for school purposes; making such old district subject to schoolhouse bonds outstanding and providing for a board of equalization of said district and defining its duties; placing all the territory included in such district under the jurisdiction of the board of trustees of such new district, and giving such board of trustees all authority now, or that may hereafter be given under the general laws regulating independent school districts not in conflict with this act, and validating the incorporation of the former district, not in conflict with this act,' enacted at the Regular Session of the Thirty-fourth Legislature of the State of Texas, approved on January 23, 1915, so as to include in the school district thus formed additional territory and declaring an emergency."

H. B. No. 7, A bill to be entitled "An Act to repeal House Bill No. 531, Chapter 45, Special Laws of the Thirty-fourth Legislature of the State of Texas, 1915, the same being an Act creating a special road law for Camp County, Texas."

H. B. No. 64, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas, and to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments therein rendered, or to be rendered, and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 68, A bill to be entitled "An Act creating the Crosby Independent School District in the county of Harris, State of Texas, defining its boundaries, divesting the bodies politic now controlling the same of the title of all property now held and used for public school purposes

within the territory within this Act described and investing the same in the Crosby Independent School District, providing for the election of a board of trustees to manage and control the public free school within said district and investing the said district and rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws, declaring an emergency."

H. B. No. 67, A bill to be entitled "An Act to amend Section 2 and 8, Senate Bill No. 312 of the Local and Special Acts of the Regular Session of the Thirty-fourth Legislature, creating the La Porte Independent School District, defining the boundaries thereof, providing the method of levying, assessing and collecting the taxes therein, legalizing levies, assessments and equalizations theretofore made and declaring an emergency."

S. B. No. 18, A bill to be entitled "An Act to amend Section 1, 7, 8, 9, 10, 13, 15, 17, 19, 23, 33, 54, 57, 58, 61, 66, 70, 80 and 108 of Chapter 87 of the Acts of the Thirty-fifth Legislature, providing for the organization and operation of water improvement districts, and adding to said Act certain new sections numbered 118a, 119, 120, 121 and 122. Giving commissioners courts authority to create water improvement districts, and providing the method of the creation and operation of such districts under the authority granted by Section 52 of Article 3 of the Constitution of Texas or under Section 59, of Article 16 of the Constitution, etc., and declaring an emergency."

H. B. No. 122, A bill to be entitled "An Act creating an independent school district to be known as Galatin Independent School District, in Cherokee County."

H. B. No. 19, A bill to be entitled "An Act creating and incorporating the Gomez Independent School District in Terry County, Texas, and defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority, authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for and assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for an elec-

tion of trustees thereof, and providing for an emergency."

H. B. No. 16, A bill to be entitled "An Act to amend Section 12 of Chapter 10, of the Local and Special Laws passed at the Regular Session of the Thirty-fifth Legislature, the same being 'An Act to authorize and empower Lamar County or any political subdivision or defined district of said county by a vote of two-thirds majority of the resident property taxpayers qualified voters of such county or political subdivision or defined district thereof voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such political subdivision or defined district and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, and for the maintenance of said bonds during the life of such bonds for the purpose of constructing, maintaining and operating macadamized, gravel or paved roads and turnpikes, and providing ways and means of conducting and supervising said work, and to repeal Chapter 3 of the Special Acts of the Thirty-first Legislature and all other special road laws for Lamar County."

H. B. No. 60, A bill to be entitled "An Act adding to and making a part of the Raymondville Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto situated in Cameron County, Texas, etc."

H. B. No. 61, A bill to be entitled "An Act adding to and making a part of the Rio Hondo Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto, situated in Cameron County, Texas, etc.; and declaring an emergency."

H. B. No. 51, A bill to be entitled "An Act to amend Section 1 of 'An Act creating Pflugerville Independent School District in Travis and Williamson County, Texas, consolidating into said independent school district the territory included in the present Pflugerville Independent School District, Common School District No. 56, Common School District No. 12, Williamson and Travis County Line School District No. 14, and Common School District No. 15; defining its boundaries."

H. B. No. 53, A bill to be entitled "An Act to amend Section 8, Chapter 139, of the General Laws of the State

of Texas, passed by the Thirty-fifth Legislature at its Regular Session denominated 'An Act to create the Eighty-eighth Judicial District; fixing its jurisdiction and time of holding courts therein; providing for the appointment by the Governor of a judge for the Forty-second District providing that the district clerk and county attorney of Eastland County shall each be officers of said Eighty-eighth District Court, and fixing their compensation for services rendered therein; providing further, for the transfer of cases from and to the Forty-second Judicial District Court, and the Eighty-eighth Judicial District Court, from one court to the other, requiring notices of such transfer of cases in certain instances to be given, re-organizing the Forty-second Judicial District, and providing for the time of holding court in the counties of Taylor, Callahan, Shackelford and Stephens, and declaring an emergency' the amendment of said Section 8 providing that the Forty-second Judicial District shall hereafter be composed of the counties of Taylor, Callahan, Shackelford and Stephens, fixing the time of holding court in each of said counties, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 57, A bill to be entitled "An Act creating and incorporating the DeSoto Independent School District in Dallas County, Texas, out of the territory now comprising Common School District No. 39 in said county, defining its boundaries, providing that the title to said school property vested in said Common School District No. 39 should be vested in said independent school district and that said Independent School District shall assume the duties of said Common School District No. 39; providing for a board of trustees for said DeSoto Independent School District No. 39; providing the time and manner of their election; defining their duties, and declaring an emergency."

H. B. No. 106, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones County, Texas, defining its boundaries, etc., so as to include additional territory in Jones and Fisher Counties, Texas; re-estab-

lishing the metes and bounds of the Hamlin Independent School District and declaring an emergency."

H. B. No. 107, A bill to be entitled "An Act to create a more efficient road system for Kaufman County, Texas, and declaring an emergency."

S. B. No. 31, A bill to be entitled "An Act repealing Sections one (1) to thirteen (13) both numbers inclusive, of Chapter 58, Special Laws enacted by Regular Session Thirty-third Legislature, approved March 19, 1913, the same being an Act granting to Fannin County, Texas, a more efficient road law and adopting for said county the General Laws of the State in relation to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads or turnpikes or in aid thereof, and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act to create the 'Three P Independent School District' in Fannin County, Texas, designating its territory; providing for a board of trustees thereof; defining the powers and duties of said independent school district and declaring an emergency."

H. B. No. 10, A bill to be entitled "An Act creating the Rangerville Independent School District in Cameron County, Texas, and defining its boundaries; providing for the election and qualification of a board of trustees therefor; providing for the selection of a secretary, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village, incorporated under the general laws of the State for free school purposes only, and declaring an emergency."

H. B. No. 8, A bill to be entitled "An Act appropriating the sum of seventy-five thousand dollars, or so much thereof as may be necessary, out of the public treasury of the State, not otherwise appropriated, to pay off and satisfy all lawful claims for witnesses in felony cases who were residing in the county of prosecution when such fees accrued, which said fees were then authorized and fixed by law, and declaring an emergency."

H. C. R. No. 11, being a request to extend the time for the compliance of the contract between the State and Col. L. P. Featherstone to January

1, 1920, in order that reasonable time may be given to adjust freight rates and to resume the operation of said plant on a paying basis.

House Bill No. 91.

The Chair laid before the Senate on second reading:

H. B. No. 91. A bill to be entitled, "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions, and other expenses of maintaining and conducting them as follows, to-wit: University of Texas, including the Medical Department and School of Mines; Agricultural and Mechanical College, including Extension Service and State Forestry; State Experimental Station, Prairie View Normal, College of Industrial Arts for Women, Sam Houston Normal, North Texas Normal, Southwest Texas Normal, West Texas Normal, East Texas Normal, Sul Ross Normal, John Tarleton Agricultural College, Grubbs Vocational College, Deaf and Dumb Institute, and Texas School for the Blind."

The Senate rule requiring committee reports to lie over for one day was suspended by the following vote:

Yeas—21.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Rector.
Clark.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Hall.	Woods.

Nays—3.

Floyd.	Page.
Hopkins.	

Absent.

Bailey.	Cousins.
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Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

The committee report that the bill be not printed and carrying the en-

29—Spec.

grossed S. B. No. 103 as amendments, was adopted.

Senator McNealus offered the following amendment:

Amend the bill by striking out any and all appropriations for the School of Journalism in the State University.

MCNEALUS.

On motion of Senator Caldwell the amendment was tabled by the following vote:

Yeas—17.

Alderdice.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Smith.
Dean.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hall.	Woods.
Hertzberg.	

Nays—4.

Carlock.	McNealus.
Clark.	Rector.

Present—Not Voting.

Johnston.

Absent.

Bailey.	Dorough.
Cousins.	Strickland.
Dayton.	

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

Senator Page offered the following amendment:

Amend the bill by adding in line 24 after the semicolon the following: "Provided that no money herein or hereby appropriated for any purpose shall be available in any institution wherein the German language or any Germanic language is taught."

PAGE.

HOPKINS.

On motion of Senator Dean the amendment was tabled by the following vote:

Yeas—18.

Alderdice.	Clark.
Bailey.	Dayton.
Buchanan of Scurry.	Dean.
Caldwell.	Dudley.
Carlock.	Faust.

Hall.
Hertzberg.
Johnston.
Rector.

Smith.
Williford.
Witt.
Woods.

Nays—8.

Cousins.
Floyd.
Hopkins.
McNealus.

Page.
Strickland.
Suiter.
Westbrook.

Absent.

Dorough.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Senator Page offered the following:

Amend the pending amendment to H. B. No. 91 by striking out where the same appears therein the following:

"German, Adjunct Professor, \$2,000.00 each year."

PAGE.
HOPKINS.
WESTBROOK.

Senator McNealus moved the previous question on the amendment and the passage of the bill to its third reading, which being seconded was ordered.

The amendment was lost by the following vote:

Yeas—7.

Cousins.
Floyd.
Hopkins.
McNealus.

Page.
Strickland.
Westbrook.

Nays—18.

Alderdice.
Bailey.
Buchanan of Scurry.
Caldwell.
Carlock.
Clark.
Dayton.
Dean.
Dudley.

Faust.
Hall.
Hertzberg.
Johnston.
Rector.
Smith.
Williford.
Witt.
Woods.

Absent.

Dorough.

Suiter.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Senator Hopkins raised the point

of order that it is the constitutional right of any Senator to offer amendments to pending legislation and have full and free discussion of same, and that it is not in order to cut off and prevent the offering of amendments by ordering the previous question.

The Chair overruled the point of order.

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 91 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hopkins
Bailey.	Johnston
Buchanan of Scurry.	McNealus
Caldwell.	Rector.
Carlock.	Smith
Clark.	Strickland
Cousins.	Suiter
Dayton.	Westbrook
Dean.	Williford
Dudley.	Witt
Faust.	Woods
Hertzberg	

Nays—3.

Floyd.
Hall

Page

Absent.

Dorough.

Absent—Excused.

Buchanan of Bell. Parr
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Westbrook was passed by the following vote:

Yeas—19.

Alderdice.	Hertzberg.
Bailey.	Johnston.
Buchanan of Scurry.	Rector.
Caldwell.	Smith.
Carlock.	Suiter.
Clark.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dudley.	Woods.
Faust.	

Nays—6.

Cousins.

Floyd.

Hall.
Hopkins.

McNealus.
Page.

Absent.

Dorough. Strickland.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

President Pro Tem. Page in the
Chair.

Senate Bill No. 117.

The Chair laid before the Senate on second reading and as special order:

S. B. No. 117, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 1 of Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, which relates to license fees charged against owners of motor vehicles; expressly repealing Sections 2 and 3 of said Chapter 113, and declaring an emergency."

The committee report that the bill be printed in the Journal only and carrying amendments (see page 300) was adopted.

Senator Suiter offered the following amendment which was read and adopted:

(1) Amend Senate Bill No. 117 by inserting after the word "shall" in subdivision 'E' of Section 16, the following:

"All of which shall be paid to the county tax collectors in which said commercial motor vehicles operate, and shall."

The following amendments by Senator Carlock were read and adopted, severally:

(2) Amend Senate Bill No. 117 by striking out sub-section M of section 1, and substituting the following:

"Applications for the registration of commercial and interurban commercial motor vehicles shall state whether the vehicle is for operation in one or more counties, naming such counties; and if more than one, distribution of the entire license fee paid for the registration of said vehicle shall be made by the county tax

collector to whom the fee is paid among the various counties on an equal pro-rata basis."

CARLOCK.
SUITER.

(3) Amend Senate Bill No. 117 by adding sub-division J, Section 1, as follows:

"Any person who shall operate or cause to be operated in this State an interurban commercial motor vehicle, as defined in this Act, without having paid for its registration the proper license fee as described in the foregoing schedule, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding Two Hundred Dollars."

Amend the caption of Senate Bill No. 117 so that it shall read as follows:

A BILL
To be entitled

An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 1, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature, relating to the use of motor vehicles and certain other vehicles on the public highways of this state, and the licensing and registration thereof, and substituting therefor an entirely new section, describing schedule of fees to be charged for various motor vehicles, including commercial motor vehicles; interurban commercial motor vehicles, motor trucks and trailers; defining violations of this Act and prescribing penalties thereof; expressly repealing Sections 2 and 3 of said Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature and declaring an emergency.

CARLOCK.

The following amendment by Senator Smith was read and adopted:

(5) Amend Senate Bill No. 117 by inserting after subdivision 'L' of Sec. 16 and as a part of said Section, the following: "and to guarantee each and every county against such damages and every operator of a Commercial or Interurban Motor Vehicle of 3-ton carrying capacity or more shall file with the Highway Commission a good and sufficient

bond in the sum of \$2,500 providing that all of the conditions of this Act will be complied with and upon which bond suit may be brought for the purpose of recovering any and all damages caused by failure to comply with the provisions of this Act and which said bond shall be approved by said commission before any such other operator or driver is authorized to operate in said county, and suit may be brought on same in any county where a cause of action may arise."

The bill was read second time and passed to engrossment.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 117 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Carlock was passed by the following vote:

Yeas—26.

Alderdice.	Hall
Bailey.	Hertzberg
Buchanan of Scurry.	Hopkins
Caldwell.	Johnston
Carlock.	McNealus
Clark.	Page
Cousins.	Rector.
Dayton.	Smith
Dean.	Strickland
Dorough.	Sulter
Dudley.	Westbrook
Faust.	Witt
Floyd.	Woods

Absent.

Williford

Absent—Excused.

Buchanan of Bell. Parr
Gibson.

Concerning Services of Mrs. Sevier.

To the Senate of Texas:

At this time when Texas as well as the Nation wishes to place a premium on patriotism, and because we wish to impress on the citizens of Texas, and on the children who will be the future citizens of our great State that patriotism comes from within and is not altogether an outgrowth of grim war; that when the men of our State, lulled by the dimming years, for a brief time apparently let commercialism overshadow patriotism—this woman, Clara Driscoll Sevier, by her influence and her money saved Texas' most sacred shrine, the Alamo. And further because our townswoman and citizen of Texas has just returned from a year spent in the diplomatic circles of South America where by her natural intelligence, her charming personality and her knowledge of the Spanish language she was able to gather information about our South American neighbors which is of great educational value, we, her representative townswomen ask in the name of the Daughters of the Republic, the Daughters of the American Revolution, and the Austin Kwill Klub that she be invited to speak before the Senate of the State of Texas which is the highest honor our State can give a private citizen,

Very truly,

Mrs. W. P. Hobby, Emma K. Burleson, (Mrs) Pearl Cashell Jackson, Committee.

The Daughters of the Republic, Mrs. Rebecca J. Fisher.

The Daughters of the American Revolution, Mrs. N. A. Stedman.

The Austin Kwill Klub, Mrs. Wm. Wyse.

Senate Simple Resolution No. 27.

Whereas Mrs. Clara Driscoll Sevier a distinguished citizen of Texas, is now visiting the City of Austin, therefore, be it

Resolved that she be and is truly invited to address the Senate on

Tuesday, July 15, 1919, at 11:30 a. m.

BAILEY.

The resolution was read and adopted and the Chair appointed as a Committee of Courtesy, Senators Hertzberg, Bailey and Johnston.

Recess.

At 12:15 o'clock p. m. the Senate, on motion of Senator Clark, recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

Senate Bill No. 132.

The Chair laid before the Senate on second reading:

S. B. No. 132, A bill to be entitled "An Act levying a State ad valorem tax for school purposes; making an appropriation of the funds so raised for the years ending August 31, 1920, and August 31, 1921; providing that from the funds arising under said tax the State Board of Education shall set apart an amount sufficient to purchase and distribute the necessary school books for the use of the pupils of this State for the scholastic year; repealing all laws in conflict herewith; and declaring an emergency."

On motion of Senator Alderdice the bill was laid on the table subject to call.

Senate Bill No. 106.

The Chair laid before the Senate on second reading:

S. B. No. 106, A Bill to be entitled "An Act creating Quitman Independent School District in Wood County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Suiter, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. No. 106 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Suiter was passed by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Senate Bill No. 42.

The Chair laid before the Senate on second reading:

S. B. No. 42, A bill to be entitled "An Act to standardize the gauge of vehicles to be used on the Public Highways of this State and to regulate the manufacture, sale and use thereof, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus,

the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 42 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Hall. Page.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator McNealus was passed by the following vote:

Yeas—24.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Caldwell. Johnston.
Hall.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Senate Bill No. 122.

The Chair laid before the Senate on second reading:

S. B. No. 122, A bill to be entitled "An Act providing for whole family insurance, and the deposit with

State Treasurer of \$100,000 in cash or its equivalent in valid securities for protection of policies issued, and declaring an emergency."

Senator Smith moved the adoption of the Minority (favorable) Committee report and that the bill be printed in the Journal only.

The motion prevailed.

Senator Dean offered the following amendment:

(2) Amend the bill by striking out Section 2 thereof, and substituting in lieu thereof the following:

Section 2. Within sixty days after the taking effect of this Act, all insurance companies, corporations, associations of fraternal beneficiary societies issuing policies or certificates of insurance on the lives of children under eighteen years of age in this State, shall deposit with the Treasurer of the State the sum of Twenty-five Thousand (\$25,000) Dollars in cash or United States Government bonds, or Texas State, county, city, school or road district bonds, or other Texas securities as defined by Article 4776, Revised Civil Statutes of Texas of 1911, of the par value of Twenty-five Thousand (\$25,000) Dollars; which said deposit shall be increased when, as and to the extent that the reserves on all policies written under the provisions of this Bill by such insurance company, corporation, association, or fraternal beneficiary society depositing the same, computed on the same basis applied by the laws of Texas to such insurance written by life insurance companies doing a like business in the State, exceeds the said sum of Twenty-five Thousand (\$25,000) Dollars, so that all such reserves accruing and accumulating on all policies written under the provisions of this Act shall be covered to the full amount thereof by the deposit of cash or securities herein provided to be made. Said cash or bonds or other Texas securities so deposited shall remain in the possession of the State Treasurer to guarantee the payment of all contracts as issued on the lives of children, so long and to the extent as such contracts may remain in force.

Reports under oath shall be made to the Commissioner of Insurance between the 1st and 15th days of each month showing all such insurance written in this state during the preceding month, and all such insurance

in force in this state at the end of the preceding month.

If for any reason the amount of cash or bonds or other Texas securities so deposited shall be depleted, additional deposits must be made so that the full amount of the reserves accruing and accumulating on all such policies written under the provisions of this bill shall be at all times in the hands of the State Treasurer. A failure to make such reports or to maintain such deposits in the amount required hereunder for as much as thirty days continuously after the same is due to be made or maintained, shall revoke the right of the company, association or society in default to write juvenile insurance under this Act in this State.

Provided, that the portion of the securities now maintained by any insurance company with the Treasurer of this State on account of policies carried by such company on children under eighteen years of age shall be credited on the amount required to be maintained by such company under the provisions of this Act.

Provided, further, that all companies, corporations, associations or fraternal beneficiary societies issuing policies or certificates of insurance on the lives of children in this State under the provisions of this Act shall, as respects such business, be subject to all laws of the State of Texas regulating the operation of incorporated life insurance companies and subject to supervision and regulation by the Department of Insurance and Banking of this State as now provided by law with reference to the operation of insurance companies as now defined by the laws of this State.

The amendment was read and adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 122 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Dayton.
Bailey.	Dean.
Buchanan of Scurry.	Dorough.
Carlock.	Dudley.
Clark.	Faust.
Cousins.	Floyd.

Hertzberg.	Strickland.
Hopkins.	Suiter.
Johnston.	Westbrook.
McNealus.	Williford.
Page.	Witt.
Rector.	Woods.
Smith.	

Absent.

Caldwell.	Hall.
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Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Smith was passed by the following vote:

Yeas—19.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	

Nays—4.

Johnston.	Strickland.
McNealus.	Woods.

Absent.

Caldwell.	Hall.
Clark.	

Absent—Excused.

Buchanan of Bell.	Gibson.
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(Pair Recorded.)

Senator Page (present) who would vote "no"; Senator Parr (absent) who would vote "aye".

Senate Bill No. 92.

The Chair laid before the Senate on second reading:

S. B. No. 92, A bill to be entitled "An Act to amend Section 14, 17, 19, 21, 22, 25, 28, 31, 35 and 40 of Chapter 157 of the General Laws of the Thirty-sixth Legislature passed at the Regular Session thereof being 'An Act to preserve propagate distribute and protect the wild game, wild birds, wild fowl of the State; to provide adequate penalties for the unlawful taking, slaughter, storage, sale;

purchase or shipment thereof; to provide for the appointment of Deputy Game Commissioners and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commissioner and his deputies; to fix the venue of prosecution under this Act; to provide for the issuance of hunting licenses and prescribe penalties for hunting without a license; to declare that certain moneys shall belong to special Game Fund of this State and the disposition to be made of said moneys, and to repeal all laws in conflict herewith and declaring an emergency; correcting certain grammatical and typographical errors in said Sections; and by adding thereto, Sections 31-a and 31-b; providing a closed season on wild female deer and spotted fawns and fixing a limit of three buck deers to be killed during one season by any one person and fixing penalties therefor; providing the manner of transporting lawfully killed deer and fixing penalties for unlawful shipment of deer; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 92 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Caldwell.	Hall.
Clark.	

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Cousins was passed finally.

Senate Bill No. 138.

The Chair laid before the Senate on second reading:

S. B. No. 138, A bill to be entitled "An Act to create and establish Common School District No. 20 in Walker County, Texas, out of a part of the territory now embraced in Common School District No. 14 of said county, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dean the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 138 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Caldwell.	Hall.
Clark.	

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Dean was passed by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Caldwell.	Hall.
Clark.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.**Senate Bill No. 8.**

The Chair laid before the Senate on second reading:

S. B. No. 8, A bill to be entitled "An Act to make appropriations to cover authorized deficiencies for the fiscal year ending August 31st, 1919, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Westbrook the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 8 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Caldwell. Hall.
Clark.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Westbrook, was passed by the following vote:

Yeas—23.

Alderdice.	Johnston.
Bailey.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Hertzberg.	Woods.
Hopkins.	

Nays—1.

Floyd.

Absent.

Caldwell. Hall.
Clark.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.**Reasons for Vote.**

I vote "no" on Senate Bill No. 8 for the reason that the bill was rushed through and no opportunity was given me to inquire as to the nature of certain appropriations carried in the bill.

FLOYD.

Senate Bill No. 34.

The Chair laid before the Senate on second reading:

S. B. No. 34, A bill to be entitled "An Act appropriating the sum of \$39,750.00 or so much thereof as may be necessary, out of any money in the State treasury not otherwise appropriated, for the payment of the salaries of the Judges of the Commission of Appeals of the State of Texas, and all other expenses of said Commission of Appeals of the State of Texas, for the period beginning September 1, 1919, and ending June 30, 1920, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 34 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Caldwell. Hall.
Clark.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Westbrook, was passed by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Caldwell. Hall.
Clark.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Senate Bill No. 87.

The Chair laid before the Senate on second reading:

S. B. No. 87, A bill to be entitled "An Act to amend Sections 1, 4, 5, and 13 of Chapter 44 of the General Laws passed at the first Called Session of the Thirty-fifth Legislature, including changes in regard to the time of meeting of the State Text Book Commission and providing that the State shall have uniform adoptions of additional high school text books, that teachers of State institutions may serve on the State Text Book Commission, that contracts shall be so arranged in the future that the contract for not more than one-sixth of the total number of different adopted books can be changed in any one year, and providing a more reasonable bond for supplementary books; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dayton the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 87 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Johnston.
Bailey.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.
Hopkins.	

Absent.

Caldwell. Dorough.
Clark. Hall.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Dayton, was passed by the following vote:

Yeas—19.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Strickland.
Dean.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	

Nays—2.

Suiter. Woods.

Present—Not Voting.

Johnston.

Absent.

Caldwell. Hall.
Clark. Smith.
Dorough.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

On motion of Senator Bailey the

vote by which Senate Bill No. 87 was passed was reconsidered.

Senate Bill No. 70.

The Chair laid before the Senate on second reading:

S. B. No. 70, A bill to entitled "An Act to make unlawful the teaching of the Germanic language in any public or private school or college or university in the State of Texas, fixing a penalty and declaring an emergency."

On motion of Senator Page the bill was laid on the table subject to call.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 25, A bill to be entitled "An Act requiring all men to submit to physical examination and furnish to the clerks to whom they apply for license to marry a certificate from a reputable physician that they are free from venereal disease; prescribing penalties, and declaring an emergency."

H. B. No. 35, A bill to be entitled "An Act to amend Rule 3, relating to 'contagious diseases, of Section 10 of Chapter 30 of the General Laws of the State of Texas, passed by the Thirty-First Legislature at Regular Session.'"

H. B. No. 37, A bill to be entitled "An Act to amend Article 4521 of the 1911 Revised Civil Statutes of Texas, relating to the creation of the State Board of Health; to provide for the appointment and organization of said board and the name of its officers; to provide for the designation by the Governor of one member of said board as State Health Officer, the member designated as State Health Officer to hold office for a term of two years, the other members to hold office for a term of six years. The present members of the board shall not be affected by the provisions of this Act."

H. B. No. 40, A bill to be entitled "An Act to amend Section 24, Chapter 87, of the General Laws of the Regular Session of the Thirty-fifth Legislature, providing in substance that districts created under the provisions of said Chapter 87 are empowered to own and construct reservoirs, dams, wells, canals, etc., and to acquire the necessary rights of way for same by purchasing, gift, grant of condemnation; to buy or construct all reservoirs, dams, wells, canals, laterals, sites for pumping plants and all other improvements required for the irrigation of lands, and declaring an emergency."

H. B. No. 56, A bill to be entitled "An Act to amend Article 6923, Chapter 3, Title 119, Revised Civil Statutes of the State of Texas, 1911, providing that the commissioners court in each county fix the amount to be collected by road overseers from road hands in lieu of service, and declaring an emergency."

The House has adopted:

H. C. R. No. 16, Relating to the transfer of State quarantine property to the Federal Government.

Respectfully submitted,

T. B. REESE.

Chief Clerk, House of Representatives.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 84, A bill to be entitled "An Act amending Article 7220 of the Revised Civil Statutes of 1911, providing that the returns of election for preventing hogs and certain other animals from running at large shall be tabulated and counted in the same manner as provided for all general elections in the State of Texas, and further validating all such elections held in any county in this State where such elections have been held upon proper petition to the commissioners court, upon proper order and notice of such election, and where a majority of the freeholders

voting at such election have voted in favor of same."

House refused to concur in Senate amendment to H. B. No. 91, and asks the appointment of a Conference Committee.

Messrs. Thomas, Poage, Teer, Satterwhite and Bass have been appointed to act, on the part of the House.

Respectfully submitted.

T. B. REESE,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor Johnson) had referred, after their captions had been read, the following House bills:

H. B. No. 25, Referred to the Committee on Public Health.

H. B. No. 35, Referred to the Committee on Public Health.

H. B. No. 37, referred to the Committee on Public Health.

H. B. No. 40, Referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 56, Referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 84, Referred to the Committee on Stock and Stock Raising.

Senate Bill No. 98.

The Chair laid before the Senate on second reading:

S. B. No. 98, A bill to be entitled "An Act to exempt Sabine, San Augustine, Newton, Jasper and Angelina Counties from provisions of Chapter 60, General Laws of the Regular Session, Twenty-fifth Legislature, 1917, and to postpone the eradication of ticks in said counties until January 1, 1922, and declaring an emergency."

Senator Dayton moved to postpone further consideration of the bill indefinitely.

The motion was lost by the following vote:

Yeas—10.

Carlock.	Hertzberg.
Dayton.	Johnston.
Dean.	Page.
Dudley.	Rector.
Faust.	Witt.

Nays—13.

Alderdice.	Smith.
Buchanan of Scurry.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dorough.	Williford.
Floyd.	Woods.
Hopkins.	

Absent.

Bailey.	Hall.
Caldwell.	McNealus.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

On motion of Senator Dudley consideration of the bill was postponed until eleven o'clock next Monday by the following vote:

Yeas—21.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Dayton.	Smith.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Nays—4.

Cousins.	Strickland.
Hopkins.	Suiter.

Absent.

Bailey.	Hall.
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Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

House Concurrent Resolution No. 16.

The Chair laid before the Senate on second reading:

H. C. R. No. 16, Relating to sale and transfer to the Federal Government of the State's quarantine property.

The resolution was read and on motion of Senator Strickland, the same was adopted.

Messages from the Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

Gentlemen: At the request of Representative McMillin, I beg to submit for your consideration the following subject, to-wit:

"An Act requiring the tax assessor of each independent or common school district in the State in which a school tax has been voted, to prepare and deliver to the tax assessor of the county in which said district is located, the tax rolls for said district at a time not later than July 1, of each year, etc., and declaring an emergency."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

Gentlemen: At the request of Representative Kellis, and Morris of Montague, I beg to submit for your consideration the following subject, to-wit:

"An Act to create a Board of Examiners of Land Surveyors that shall serve without pay, prescribing their duties and the subjects in which applicants for land surveyor's license shall be examined, etc., and declaring an emergency."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

Gentlemen: At the request of Senator Witt, Representatives Poage, Williams and Quicksall, I beg to submit for your consideration, the following subject, to-wit:

"An Act creating the Moody Independent School District in McLennan County, Texas, etc., and declaring an emergency."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

Gentlemen: At the request of Representative Bonham, I beg to sub-

mit for your consideration the following subject, to-wit:

"An Act to increase the limits of Mathis Independent School District of San Patricio County, as created and established by Chapter 97 of the Acts of the Thirty-fifth Legislature (S. B. No. 593), amending Chapter 74, (S. B. No. 349), Acts of the Thirty-third Legislature; and declaring an emergency."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

At the request of Senator Hertzberg, I submit for your consideration the following subject, to-wit:

"An Act authorizing the county treasurer of counties having a population in excess of one hundred thousand inhabitants to appoint an assistant where an assistant is necessary for the efficiency of the public service, etc."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

Gentlemen: At the request of Representative Bonham, I beg to submit for your consideration the following subject, to-wit:

"An Act granting to C. A. Heldenfels and F. W. Heldenfels all right, title, and interest of the State of Texas to certain land lying and being situated under the waters of the Aransas Bay and certain land formed by dredge spoil within the granted area, etc., and declaring an emergency."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

Gentlemen: At the request of Representative Darroch, I beg to submit for your consideration, the following subject, to-wit:

"An Act creating the Hico Independent School District in Hamilton and Erath Counties, etc., and declaring an emergency."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

At the request of Senator Hertzberg and Representative Blackburn, I submit for your consideration the following subject:

"An Act to authorize and empower Kerr County, or any political subdivision or any defined district now or hereafter to be described and defined of said county, etc., to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county, etc."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

I submit for your consideration the following subject, to-wit:

"An Act creating the West Orange Independent School District in Orange County, Texas, etc."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

At the request of Representative Burton and Senator Smith, I submit for your consideration the following subject, to-wit:

"An Act to amend Sections 1, 2, 3, 4, 20 and 23 Chapter 76 of the Regular and Special Laws of Texas enacted at the Regular, First and Second Called Sessions of the Thirty-first Legislature and known as an Act to create a more efficient road system for Rusk County, Texas, etc."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

At the request of Representative Parnell, I submit for your consideration the following subject, to-wit:

"An Act creating the Harrold Independent School District in Wilbarger County, Texas, etc."

Respectfully submitted,
W. P. HOBBY, Governor.

Governor's Office,
Austin, Texas, July 14, 1919.

To the Thirty-sixth Legislature in
Second Called Session.

I ask the advice, consent and confirmation of your Honorable body in the appointment of Hon. Marion Douglass of Galveston, as a member of the State Board of Public Accountancy, vice Hon. Milton Morris of Austin, resigned.

Respectfully submitted,
W. P. HOBBY, Governor.

Read and referred to the Committee on Nominations by the Governor.

Senate Bill No. 57.

The Chair laid before the Senate on second reading:

S. B. No. 57, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the several institutions and departments of the government for the fiscal year ending August 31, 1919, and declaring an emergency."

Senator Woods offered the following amendment, which was read and adopted:

(1) Amend Senate Bill No. 57 by adding thereto the following item:

"North Texas Hospital for the Insane. For amount necessary to complete the sewage disposal plant now under course of erection at said hospital, the sum of \$4,000.00."

The following amendments of Senator Dudley was read and adopted:

Amend Senate Bill No. 57 by inserting, page 2, between lines 10 and 12 the following: "To supplement salaries of fifty-two district attorneys from June 19, 1919 to August 31, 1919, as under Act of House Bill No. 22 of the Regular Session Thirty-sixth Legislature, \$28,860.00."

Amend Senate Bill No. 57 by adding the following after line 32 on page 1:

(Live Stock Sanitary Commission of Texas.)

"For the purpose of paying necessary office expenses of the Live Stock Sanitary Commission, including office rent, stamps, stationery, printing office furniture, supplies, telegraph and telephone service and other necessary expenses for the fiscal year ending August 31, 1919, \$300.00."

In Memory
of
Hon. W. S. Bell

Whereas, The State of Texas, and particularly the Twenty-ninth Senatorial District of Texas, have suffered a great loss in the death of the Hon. W. S. Bell on the 21st of June A. D., 1919; and

Whereas, At the time of his death he was a faithful, honest, patriotic American serving with distinction his district and the State of Texas, which reflected credit and honor upon himself and his district and State alike—when called by his untimely death; and

Whereas, His unfortunate and untimely death occurred while he was in full vigor and strength of manhood, causing an irreparable loss to the citizenship of the State of Texas, now therefore in recognition of the great loss to the State of Texas, and in commemoration of his useful, patriotic, honest life, be it

Resolved, That the Senate of Texas, tender to his widow and family our most sincere sympathy in their bereavement, and may the providence of the Almighty God be their shield in this their hour of bereavement; and be it further

Resolved, That a copy of this resolution, properly attested, be forwarded to his widow and family at Crowell, Texas; that a page in the Senate Journal be set apart, and dedicated to his memory; that the resolution be spread upon the Journal of this Senate as an expression of our sorrow, sympathy and regret, and in token of the high esteem in which we held our fellow Senator, Hon. W. S. Bell; that proper memorial services be conducted in the Senate Chamber immediately after the morning call on Monday, July 14th, A. D., 1919, to which service the family, relatives and friends of our departed friend and co-worker are most cordially invited.

DAYTON.
JOHNSON.
PAGE.

The resolution was read and adopted by unanimous rising vote of the Senate.

The bill was read second time and passed to engrossment.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 87 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hertzberg.	

Absent.

Dorough. Hall.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Westbrook was passed by the following vote:

Yeas—22.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bailey. Johnston.
Dorough. Strickland.
Hall.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Memorial Service.

Pursuant to arrangements by a special committee, at the hour of 4 o'clock, p. m., the Senate ceased

its labors and held a memorial service in honor of the late Hon. W. S. Bell of Crowell, Foard County; Senator from the Twenty-ninth Senatorial District.

The House was officially represented by Messrs Satterwhite, Rosser and Bryant.

The services were opened with prayer by the Chaplain.

Addresses were delivered by Lieutenant Governor Johnson, Senators C. R. Buchanan, Hopkins, and Dudley; also by Mr. Satterwhite, Mr. Bryant and Mr. Rosser of Scurry County. Senators Page, Carlock, Westbrook, Mr. Parnell, Mr. Thomas and Senator Woods each delivered brief encomiums.

The resolution heretofore adopted on July 2nd, in memory of Senator Bell is shown on opposite page of the Journal.

The service was concluded with a benediction by the Chaplain.

Senate Bill No. 110.

The Chair laid before the Senate on second reading:

S. B. No. 110, A bill to be entitled "An Act increasing the salary of the Official Court Reporter for the Sixth Judicial District of Texas to the sum of Eighteen Hundred (\$1,800.00) dollars; providing the manner of payment of such salary and declaring an emergency."

The committee report that the bill be not printed was adopted.

On motion of Senator Floyd, the bill was laid on the table subject to call.

Senate Bill No. 111.

The Chair laid before the Senate on second reading:

S. B. No. 111, A bill to be entitled "An Act increasing the salary of the official court reporter for the Seventy-sixth Judicial District of Texas to the sum of eighteen hundred (\$1,800.00) dollars; providing the manner of payment of such salary; and declaring an emergency."

Senator Suiter offered the following which was read and adopted.

Amend Senate Bill No. 111 by striking out the words 'seventy-sixth judicial district' in both the caption and body of the bill, wherever they

occur and insert in lieu thereof the following:

"The Seventh, Thirteenth, Seventy-sixth and Eighty-sixth Judicial Districts."

On motion of Senator Floyd the bill was laid on the table subject to call.

Senate Bill No. 26.

The Chair laid before the Senate on second reading:

S. B. No. 26, A bill to be entitled "An Act to provide for the appointment by the State Health Officer, of one or more State Sanitary Engineers, directing the sanitary inspections of all incorporated cities and towns in Texas of twenty thousand population or less, at least one each year; providing for the reports of such inspections by said engineers; fixing the fees and charges to be paid by such cities and towns for such inspections; creating a special fund out of such fees and charges to pay the salary and expenses of such engineers; fixing the salaries of such engineers;; appropriating the receipts for their services to the payment thereof and declaring an emergency."

Senator McNealus offered the following amendment, which was read and adopted:

(1) Amend Senate Bill No. 26 by changing the words "sanitary engineers" wherever they occur in the caption and the body of the bill to read "sanitary engineers or physicians."

Senator Williford offered the following which were read and adopted:

(2) Amend Senate Bill No. 26, page 3, by striking out all of remaining lines after the word "the" in line 4 in Section 5 and add the following: "County or district attorney of the county in which said city or town is situated, who shall bring the necessary proceedings for the collection thereof in any court of competent jurisdiction in such county."

(3) Amend Senate Bill No. 26, page 3, line 1 by substituting a semicolon for the period at the end of said line, and adding the following:

"provided that said engineers shall not spend more than three days at any one time making any such investigation, unless they be requested to remain longer by the city council of such town or city or by the Commissioners Court of the county if a

town or city therein be not incorporated."

(4) Amend Senate Bill No. 26, Section 2 by striking out al of said Section after the word "State Health Officer" in line 32 of said section.

(5) Amend Senate Bill No. 26 by adding at the end of Section 4, the following:

"Provided, further, that the Public Health Officer of any city, town or community coming within the provisions of this Act shall furnish the State Health Officer with a sworn affidavit that the health laws are being or are not being observed, and in the event such survey as herein provided for is not necessary, under such affidavit, then such survey shall not be made; such sworn affidavits to be furnished quarterly on the first days of January, April, July and October.

Senator Caldwell offered the following:

Amend Senate Bill No. 26 by striking out the enacting clause.

Senator McNealus moved to table the amendment and this motion prevailed by the following vote:

Yeas—15.

Alderdice.	McNealus.
Buchanan of Scurry.	Smith.
Cousins.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Johnston.	

Nays—6.

Caldwell.	Dudley.
Carlock.	Hertzberg.
Dayton.	Rector.

Absent.

Bailey.	Hopkins.
Clark.	Page.
Hall.	Woods.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 26 put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.

Absent.

Bailey.	Hopkins.
Clark.	Page.
Dean.	Woods.
Hall.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator McNealus was passed finally.

Senate Bill No. 48.

The Chair laid before the Senate on third reading:

S. B. No. 48, A bill to be entitled "An Act to amend Article 1202 of the Code of Criminal Procedure of the State of Texas of 1911 as amended by Section 8 of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature, approved April 2, 1913, and as amended by Chapter 91 of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to fix the salaries of probation officers in this State, and to re-enact said Article as amended by said Section 8 of Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Caldwell was passed finally.

Senate Bill No. 121.

The Chair laid before the Senate on second reading:

S. B. No. 121, A bill to be entitled "An Act to require the owner, agent or lessee of any land or any present interest thereon, on which any stream is located, in whole or in

part which overflows its banks and floods the land of other persons under cultivation, to keep the timber, underbrush and drifts cleared out of the channels and off the shoals of such creek, making the failure to do so a misdemeanor prescribing a penalty; and declaring an emergency."

On motion of Senator Dudley the bill was laid on the table subject to call.

Senate Bill No. 124.

The Chair laid before the Senate on second reading:

S. B. No. 124, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Menard County; to conform to the jurisdiction of the District Court thereto and to repeal all laws in conflict herewith; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 124 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Bailey.	Hall.
Clark.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Dudley was passed by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

Absent.

Bailey.	Hall.
Clark.	

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

Senate Bill No. 126.

The Chair laid before the Senate on second reading:

S. B. No. 126, A bill to be entitled "An Act to provide for the Live Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under the authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds be set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals, under authority of said Chapter 107; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 126 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Dean.
Bailey.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Johnston.

McNealus.	Suiter.
Page.	Westbrook.
Rector.	Williford.
Smith.	Witt.
Strickland.	Woods.

Absent.

Hall.

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Dudley was passed by the following vote:

Yeas—26.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

Absent—Excused.

Buchanan of Bell.	Parr.
Gibson.	

Senate Bill No. 115.

The Chair laid before the Senate on second reading:

S. B. No. 115, A bill to be entitled "An Act providing that any person who is the owner or keeper of any dog which is accustomed to run, worry or kill sheep or goats who shall permit such dog to run loose or at large after having information that such dog is so accustomed to run, worry or kill sheep or goats, shall be deemed guilty of a misdemeanor and punished by a fine of not more than One Hundred Dollars, or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment, and declaring an emergency."

Senator Caldwell moved that the bill be printed in the Journal.

The motion was lost.

On motion of Senator Buchanan of Scurry the committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 115 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.

Absent.

Dean.	Page.
Hall.	Woods.
Hopkins.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry, was passed finally.

Senate Bill No. 141.

Senator Alderdice moved that Senate Bill No. 141, relating to Covington independent school district, was re-committed to the committee on Educational Affairs.

Senate Bill No. 143—As Special Order.

On motion of Senator Dean Senate Bill No. 143 was set as a special order for next Monday at 2:30 o'clock p. m.

Senate Bill No. 145.

The Chair laid before the Senate on second reading:

S. B. No. 145, A bill to be entitled "An Act creating a more efficient road system for Wichita County, Texas, and making the County Commissioners of said County Ex-Officio Road Commissioners and prescribing their duties as such, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 145 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hertzberg.	

Absent.

Dean. Hall.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Dudley, was passed by the following vote:

Yeas—26.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Page.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.

Westbrook. Witt.
Williford. Woods.

Absent.

Hall.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

House Bill No. 91—Conference Committee Elected.

Senator Suiter made the following motion:

"I move that the Senate grant the request for a free conference committee on House Bill No. 91, and that the following members be elected on the part of the Senate: Westbrook, Dean, Hopkins, Dudley, Williford."

SUITER.

The motion prevailed, carrying the election of the committee named.

Senate Bill No. 41.

The Chair laid before the Senate on second reading:

S. B. No. 41, A bill to be entitled "An Act requiring persons handling pistols to secure a license therefor, to pay an occupation tax thereon, and to keep a record of all pistol transactions, and providing penalties for violations of this Act, and declaring an emergency."

Senator Caldwell moved the adoption of the minority (favorable) committee report.

As a substitute Senator Page moved the adoption of the adoption of the majority (adverse) report.

The substitute prevailed by the following vote:

Yeas—12.

Buchanan of Scurry, Rector.
Clark. Smith.
Dean. Strickland.
Derough. Suiter.
Hopkins. Westbrook.
Page. Williford.

Nays—10.

Bailey. Floyd.
Caldwell. Hertzberg.
Cousins. Johnston.
Dudley. McNealus.
Faust. Witt.

Absent.

Alderdice. Hall.
Carlock. Woods.
Dayton.

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Senator Page moved to reconsider the vote by which the substitute was adopted and table the motion to reconsider.

The motion to table prevailed.

Adjournment.

At 6:20 o'clock p. m. the Senate on motion of Senator Bafiley adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senator McNealus offered two letters, one from Edward Crane of Dallas, protesting against the proposed \$300 bonus for Texas men in the service, and the other from W. B. Lowry of Houston, asking his support of Senate Bill 117.

The Chair presented a petition from numerous citizens of Beaumont requesting support of the appropriation for the Bureau of Rural Sanitation.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 122 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 103 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 82 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 76 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 99 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 48 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 69 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 85 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 58 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 117 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 42 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: We, your committee on Engrossed Bills have had Senate Bill No. 138 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,
Austin Texas, July 12, 1919.

Hon. W. A. Johnson President of
the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 133, A bill to be entitled "An Act to amend Article 3866, Chapter 3, Title 58 of the Revised Civil Statutes of Texas of 1911 so as to provide the ex-officio compensation that may be paid by the commissioners courts of the various counties of this State to the sheriffs thereof, and declaring an emergency."

Have had said bill under consideration, and beg to report the same back to the Senate with the recommendation that it do not pass.

DEAN, Chairman.

Committee Room,
Austin, Texas, July 12, 1919.

Hon. W. A. Johnson President of
the Senate.

Sir: Your Committee on Finance,
to whom was referred

H. B. No. 91, A bill to be entitled
"An Act making appropriations to
pay the salaries of officers and em-
ployes of certain educational institu-
tions, and other expenses of main-
taining and conducting them as fol-
lows, to-wit: University of Texas,
including Medical Department and
School of Mines; Agricultural and
Mechanical College, including the
Extension Service and State Fores-
try; State Experimental Station and
sub-stations; Prairie View Normal;
College of Industrial Arts for Wo-
men; Sam Houston Normal; North
Texas Normal; Southwest Texas Nor-
mal; West Texas Normal; East
Texas Normal; Sul Ross Normal;
John Tarleton Agricultural College;
Grubbs Vocational College; Deaf and
Dumb Institute, and Texas School
for the Blind,"

Have had same under considera-
tion and beg leave to report it back
to the Senate with recommendation
that it do pass by striking out all
after the enacting clause and insert
in lieu thereof Senate Bill No. 103
with committee amendments, and be
not printed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Banking
and Insurance, to whom was referred

S. B. No. 96, A bill to be entitled
"An Act to amend Section 4753,
Chapter 2, Title 71 of the State of
Texas, relating to deposits of life in-
surance companies,"

Have had same under considera-
tion and beg leave to report same
back to the Senate with the recom-
mendation that it do not pass.

SMITH, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Roads,
Bridges and Ferries, to whom was re-
ferred

S. B. No. 151, A bill to be entitled

"An Act to amend Section 1, 2, 3, 4,
20 and 23 of Chapter 76 of the Reg-
ular and Special Laws enacted at the
Regular, First and Second Called
Sessions of the Thirty-first Legisla-
ture and known as an Act to create a
more efficient road system for Rusk
County, Texas, etc.,"

Have had same under considera-
tion and beg leave to report same
back to the Senate with the recom-
mendation that it do pass and that it
be not printed.

Respectfully submitted,
WOODS.
WILIFORD.
CARLOCK.
STRICKLAND.

(Floor Report.)

Senate Chamber
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Roads,
Bridges and Ferris to whom was re-
ferred

S. B. No. 146, A bill to be entitled
"An Act to re-enact and amend
Chapter 57 of the Special Laws of
the Thirty-fourth Legislature and
which became effective March 22,
1915, entitled 'An Act to create a
more efficient road system for Dallas
County, Texas,'"

Have had same under considera-
tion and beg leave to report it back
to the Senate, with the recommenda-
tion that it do pass, and that it be
not printed.

Respectfully submitted,
WOODS, Chairman.
WILLIFORD.
CARLOCK.
STRICKLAND.

(Floor Report.)

Senate Chamber.
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of
the Senate.

Sir: Your Committee on Internal
Improvements to whom was referred

S. B. No. 149, A bill to be entitled
"An Act for relief of railway corpora-
tions having charters granted or
amended since the 1st of January,
1892, and which have failed or about
to fail to construct their roads and
branches, or any part thereof, with-
in the time required by law,"

Have had same under considera-
tion and beg leave to report the same

back to the Senate with the recommendation that it do pass.

BUCHANAN of Scurry.
DOROUGH.
FAUST.
FLOYD.
ALDERDICE.
DAYTON.

Committee Room,

Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred Senate Bill No. 153, being a local school bill, have had the same under consideration and I am instructed to report same favorably with the recommendation that it do pass and that it be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 127 has had said bill under consideration, and beg to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

DEAN, Chairman.

By Johnston.

S. B. No. 127.

A BILL
To be Entitled

An Act to amend subdivision 6 of Article 7507, in Chapter 11, of Title 126 of the Revised Civil Statutes of the State of Texas, and to exempt from taxation institutions of purely public charity and their real, personal and mixed estate, including buildings, grounds, moneys, securities, lands, credits, endowments and all assets, and the rents, income, proceeds and increase thereof, and regulating such exemptions, and defining institutions of purely public charity, and defining the word "institutions" as used in the phrase "institutions of purely public charity" in Article VIII, Section 2, of the Constitution of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Subdivision 6 of

Article 7507 in Chapter 11 of Title 126 of the Revised Civil Statutes of the State of Texas be and the same is hereby amended so as to hereafter read as follows:

6. Public Charities.—All buildings and grounds belonging to and occupied or used by an institution of purely public charity. Also all real, personal and mixed property belonging to any organization or institution of purely public charity and all estate which was purchased by or is dedicated, set aside, deeded, willed, donated or otherwise granted to or for a purely public charitable use, including all moneys, securities, lands, buildings, credits, and assets of all kinds which form its endowment, if the same or the proceeds thereof or the income therefrom, if any, as well as the increase thereof, if any, is required to be applied to public charity and not used for private profit. Also all lands, buildings, rents, profits, moneys and credits, belonging to an institution of purely public charity which are appropriated by such institution solely to sustain such institution and for the benefit of the sick and disabled members and their families and the burial of the same, or for the maintenance of persons when unable to provide for themselves, whether such persons are members of such institution or not. An institution which dispenses its aid to its members and others in sickness or distress or at death, without regard to the poverty or riches of the recipient, and also when the property, funds and assets of such institution are placed and bound by its laws to relieve, aid and administer in any way to the relief of its members when in want, sickness and distress and provides homes for its helpless and dependent members and to educate and maintain the orphans of its deceased members and other persons, is an institution of purely public charity. By declaring such an institution to be an institution of purely public charity, it is not intended to limit the benefits of this exemption from taxation to the kind of institution of public charity just specified, nor to exclude from the exemption other public charities, but it is also intended to exempt from taxation all real, personal and mixed property and all endowment of all institutions of purely public charity, not used for private profit.

It is hereby declared that the word or term "institutions" used in the Constitution of Texas, Article 8, Section 2, authorizing the Legislature to exempt from taxation "institutions of purely public charity" was there used to mean and include and is now interpreted and defined to mean and include not only the grounds and buildings and equipment used directly or exclusively in the conduct of the public charity, but also means and includes the organization, association, society, trustees, estate, board, lodge or other entity or administrative body which owns or controls or manages or has the administration of the charity, or was organized, instituted or empowered to operate, promote, conduct, administer or carry into effect the public charity or the charitable trust, and also includes the moneys, securities, lands, buildings and all other property and assets and endowments owned by or dedicated to such an institution or entity or administrative body.

Sec. 2. The crowded condition of the calendar and the fact that there is uncertainty as to what property is now exempt from taxation create an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, July 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 147, have had said bill under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

DEAN, Chairman.

By Bailey, Hall. S. B. No. 147.

A BILL To be Entitled

An Act to amend Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature relating to the duties of tax collectors to prepare and mail notices and statements of delinquent taxes against lands

to the record owners thereof; the preparation and perfecting of the delinquent tax records of various counties and the compensation of the collector therefor; relating to the duties of the county and district attorneys in respect to instituting suits for the collection of delinquent taxes and the compensation they shall receive therefor, so as to require and provide that the notices to the record owners of real estate against which taxes are delinquent may be mailed by the tax collector to the addresses of such owners during the months of April and May each year, or as soon thereafter as practicable; and prescribing the contents of such notices; and to amend Section 3 of said Chapter so as to provide that the county attorney of each county in the State, or the district attorney in counties having no county attorney, shall file suit for the collection of taxes delinquent against any lands or lots situated in such county, together with interest, penalties, and costs then due, as soon as practicable after the expiration of 90 days from the date of the notice mailed to the delinquent owner thereof by the tax collector under the provisions of this Act; repealing all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of an Act passed in the Regular Session of the Thirty-fourth Legislature, the same being Chapter 146 of the printed General Laws of the said session, be and the same is hereby amended so as to hereafter read as follows:

Section 1. During the months of April and May each year, or as soon thereafter as practicable, the collector of taxes in each county of this State shall mail to the address of each record owner of any lands or lots situated in the county a notice showing the amount of taxes delinquent or past due and unpaid against all such lands and lots as shown by the delinquent tax record of the county on file in the office of the tax collector, a duplicate of which shall also have been filed in the office of the Comptroller of Public Accounts of the State of Texas and approved by

such officer. Such notice shall also contain a brief description of the lands and lots appearing delinquent and the various sums or amount due against such lands and lots for each year they appear to be delinquent according to such records, and it shall also recite that unless the owner or owners of such lots or lands described therein shall pay to the tax collector the amount of taxes, interest, penalties, and costs set forth in such notice within 90 days from the date of notice, then, and in that event, the county or district attorney will institute suits for the collection of such moneys and for the foreclosure of the constitutional lien existing against such lands and lots. And it shall also be the duty of the tax collector in every county of this State, as soon after mailing such notice as practicable, to furnish to the county or district attorney duplicates of all such notices mailed to the tax payers in accordance with the provisions of this Act, and also, lists of lands and lots located in the county appearing on the delinquent tax records in the name of "unknown" or "unknown owners," or in the name of persons whose correct address or place of residence in or out of the county said collector is unable, by the use of due diligence, to discover or ascertain, against which taxes are delinquent, past due, and unpaid, and such lists or statements shall show the amount of State and county taxes delinquent, past due, and unpaid, against each such tract or lot of land for each year they appear to be delinquent according to the delinquent tax records of the county and shall likewise contain a brief description of all such lands and lots. And it shall be the further duty of the tax collector to furnish or demand of any person or persons, firm or corporation like statements with reference to any particular lot or tract of land for whatever purpose desired, which shall be in all instances certified by him with the seal of his office attached. Whenever any person or persons, firm or corporation shall pay to the tax collector all of the taxes, interest, penalties and costs shown by the delinquent tax records of the county to be due and unpaid against any tract, lot or parcel of land for all the years for which said taxes may be shown to be due and unpaid, prior to the institution of suit for the collection thereof, it

shall be the duty of the tax collector to issue to such person or persons, firm, or corporation a receipt covering such payment as is now required by law.

Sec. 2. That Section 3 of an Act passed in the Regular Session of the Thirty-fourth Legislature, the same being Chapter 147 of the printed General Laws of the said session, be and the same is hereby amended so as to hereafter read as follows:

Section 3. As soon as practicable after the expiration of 90 days from the date of notice mailed to the delinquent owner by the tax collector under the provisions of this Act, the county attorney, or the district attorney, if there be no county attorney, shall file and institute suit, as otherwise provided by law, for the collection of all delinquent taxes due at the time of filing such suit against any lands or lots situated in such county, together with interest, penalties, and costs then due, as otherwise provided by law; provided, that for the work of filing such suits, the county or district attorney shall receive a fee of \$5.00 for the first tract of land included in each suit and \$1.00 for each additional tract included therein; provided, that where unimproved town lots are sued upon or included in a suit with other lands or unimproved town lots in the same town, only one such additional fee shall be added for each 20 lots or any number less than 20; and provided further, that in counties containing over 50,000 inhabitants such attorneys' fees shall be \$2.50 for the first tract and 50c for each additional fees as above provided.

The tax collector shall, in addition to the compensation and costs now allowed by law, be entitled, for making up the delinquent record or supplements thereto where necessary under this Act, to the sum of 5c for each and every line of early delinquencies entered on said delinquent record or supplement, such compensation to be paid out of the general fund of the county upon the completion and approval of the said record or supplement. The tax collector shall also receive a commission of 5 per cent on the amount of all delinquent taxes collected in addition to the commission now allowed him by law.

Sec. 3. That all laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. The fact that the delinquent tax records of the State are in bad condition in many counties, and that the decisions of the appellate courts of this State construing Chapter 147 of the General Laws of the Regular Session of the Thirty-fourth Legislature, and especially the sections thereof here sought to be amended, have rendered it impossible to collect by suit a vast amount of taxes which became delinquent prior to January 1, 1918, and the fact that the calendar is crowded, and the time for adjournment is near, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 31, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11.06 o'clock, a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, July 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bill have carefully examined and compared Senate Bill No. 37 copy of which is hereto attached, and find it correctly enrolled, and have this day at 11.06 o'clock, a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas.
Tuesday, July 15, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and

was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Buchanan of Bell. Parr.
Gibson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Westbrook:

S. B. No. 156, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act; making additional appropriations for the support of the State Government, for the fiscal year ending August 31, 1920 and August 31, 1921, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators Strickland and Buchanan of Scurry:

S. B. No. 157, A bill to be entitled "An Act to create a Board of Examiners of Land Surveyors that shall serve without pay; prescribing their